IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE S/S Geartner Road, 380' W of the c/l of Maurleen Road * ZONING COMMISSIONER (2711 Geartner Road) * OF BALTIMORE COUNTY 3rd Election District 2nd Councilmanic District * Case No. 91-486-A Lloyd Blumenfeld, et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 1802.3.8 (211.3) and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a side yard setback of 2 feet in lieu of the minimum required 6 feet in accordance with Petitioner's Exhib-

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documenta-

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, satety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3/80 day of July, 1991 that the Petition for Residential Variance from Sections 1802.3.8 (211.3) and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an open projection (deck) with a side yard setback of 2 feet in lieu of the minimum required 6 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> 2) The subject open projection (deck) shall remain open and shall not be enclosed at any time.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject. property to insure compliance with this Order.

JRH:bjs

U Zoning Commissioner for Baltimore County

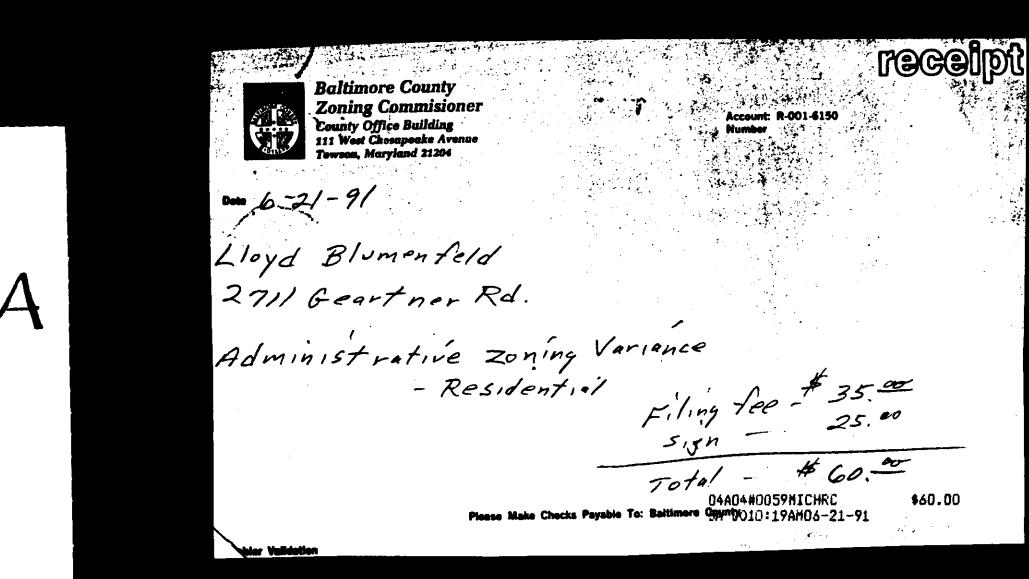
500

Beginning than intomothe worth side of Geartner Road which is that wide at the distance of 390.9% feet went of the outerline to the nearest improved intersecting street Monleer P of which is 30 feet wide. Being Lot # 20, Block Constituted in the subdivision of Wellwood as recorded in Bellingiant unty Plat Book # G. L. B. 23, Folio # 36, o mairing segon equare feet. Also known as 2711 Geartner Road

and located in the 3rd. Shedtlen District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District 3	Date of Posting
Posted for:	Fig. 11. 18 Camer.
Petitioner:	Error Track, 27 12 12 15 16
1 January	11 March & Mr. & Bank Box Breek
Location of Signs:	Harton Gration South
- h	
Posted by Signature	Date of return:
Signature	



Baltimore County Zoning Commisioner		4			recei		
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	080 -POST I		ADVERTIS	ING 1 X	\$25.00		
	LAST NAME	OF OWNER:	BLUMENFELI	TOTAL	\$60.00		
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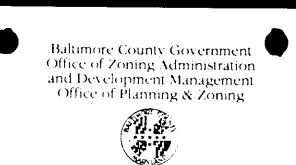
PETITION FOR RESIDENTIAL VARIANCE 500

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:	91-486-A
The undersigned, legal owner(s) of the property si the description and plat attached hereto and made a part h	tuate in Baltimore County and which is described in ereof, petition for a Variance from Section
1802.3.b (211.3), 301.1 To allo w at open projection	on (deck) with a side yard setback of 2 ft. in lieu of
the minimum required 6 ft.	
of the Zoning Regulations of Baltimore County, to the Zoni (indicate hardship or practical difficulty)	
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a first property to the transfer of the second of the seco	account there to be earned frings the her be
Property is to be advertised and/or posted as prescri	a proper to the the end the contract of the contract of
_	Posting and if necessary advertising upon 5414mg

verience posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the

	penalties of perjury, that I/we are owner(s) of the property which is t this Petition.	the legal he subject of
Contract Purchaser:	Legal Owner(s):	
	And the Property of the Control of t	
(Type or Print Name)	(Type or Print Name)	
Signature	Signatura	
Address	(Type or Print Name)	
Clty/State/21p Code	Signature	<u> </u>
Attorney for Petitioner:	-	
(Type or Print Name)	Address	Phone
Signature	City/State/Zip Code	
Address	Name, address and phone number of legal owner, or purchaser or representative to be contacted.	contract
Attorney's telephone number	Name	NAME
•	напр	į Ž
	Address	- Phone
ORDERED by the Zoning Commissioner of Baltimore Count	, this $2/\frac{2}{2}$ day of $\sqrt{2\pi C}$, 19 $\frac{9}{2}$, that the subjection	t matter of this
petition be posted on the property on or before the 1450	tay of <u>Tuly</u> , 19 <u>9/</u> .	
	ZONING COMMISSIONER OF BALTIMONE COUNTY	_ G ₁
A DIEN IN MEASURE HAVING BEEN DEGLESIED AND/OD ESTAD TO	ne penitorn	was in a same
A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO IT IS FURTHER DRDERED by the Zoning Commissioner of Ba	·	that the militari
natter of this patition be advertised, as required by the Zon		that the subject
out Baltimore County, that the property be reposted, and the		
in Room 108, County Office Building in Towson, Baltimore C		
ORDER RECEIVED FOR SHING	ZONING CONTILSSIONER OF BALIJATINE COUNTY	
Date _ 7/3/9/	10VIATE	
By		



Tune 25, 1991

111 West Chesapeake Avenue Towson, MD 21204

2711 Geartner Road

Daltimore, Maryland 21209

Lloyd and Susan Blumenfeld

Re: CASE NUMBER: 91-486-A LOCATION: S/S Geartner Road, 391' (+/-) W of c/l Maurlenn Road 2711 Geartner Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before July 14, 1991. The last date (closing date) on which a neighbor may file a formal request for hearing is July 29, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD. THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens (301) 887-3391

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently reside at	3 / 11 C	10 M 1- 171	120160	
	BALTE	MD	21.209	•
(Address)				-

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) A practishing treater a given contains the git become in the in a coming of the increase about to the suize of the land A Dock is peroceens the growth the me persons

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a repositing and advertising fee and may be required to provide additional information.

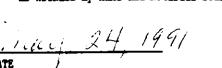
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Land Take the part		
FFIANT (Handwritten Signature)	AFFIANT (Handwritten Signature)	
Company Day and Commence of the		
FFIANT (Printed Name)	AFFIANT (Printed Name)	

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

HEREBY CERTIFY, this _____ day of ____ Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

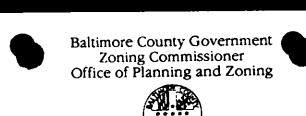
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.



My Commission Expires:

Lucindia 5, 1493



111 West Chesapeake Avenue Towson, MD 21204

887-3353

July 31, 1991

Mr. & Mrs. Lloyd Blumenfeld 2711 Geartner Road Baltimore, Maryland 21209

RE: PETITION FOR RESIDENTIAL VARIANCE S/S Geartner Road, 380' W of the c/l of Maurleen Road (2711 Geartner Road) 3rd Election District - 2nd Councilmanic District Lloyd Blumenfeld, et ux - Petitioners Case No. 91-486-A

Dear Mr. & Mrs. Blumenfeld:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. ROBERT HAINES Zoning Commissioner for Baltimore County

cc: People's Counsel

JRH:bjs

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

ALITHORE COUNTY TEACHER

DATE: August 27, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

91-486

FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: July 2, 1991

This office has no comments for items number 492, 494, 495, 496, 498, 499, 500, 501, 502 and 503.

Pale J. Famili
Traffic Engineer II

RJF/lvd

91-486-4 Baltimore County Government Fire Department

JULY 26, 19

700 East Joppa Road Suite 901
Towson, MD 21204 5500

JULY 26, 1991

(301) 887-4500

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Paltimore County Office Building
Towson, MD 21204

RE: Property Owner: LLOYD BLUMENFELD

Location: #2711 GEARTNER ROAD

Item No.: 500 Zoning Agenda: JULY 2, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Pureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

PETTEWER: Catalogy 7-31.91 Approved
Planking Croup F:
Special inspection Division

Fire Prevention Bureau

JK/KEK

Reved you

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: July 3, 1991
FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for July 2, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 407-revised, 492, 494, 496, 497, 499, 500, 501, 502 and 503.

For Items 429-revised, a County Review Group Meeting is required.

For Item 272 (Case No. 90-434-SPHA), the previous County Review Group Meeting Comments are still applicable.

For Item 493, a 5-foot widening strip is requested for the ultimate 50-foot right-of-way width of Railroad Avenue.

For Item 495, no permanent structures are allowed within the limits of Baltimore County drainage and utility easements.

For Item 498, a County Review Group Meeting is required. In addition, the following highway comments are provided:

Red Lion Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section

on a 60-foot right-of-way.

The Developer's responsibilities along the existing frontage of this site shall be as follows:

a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the site, or as may be required to establish line and grade.

Zoning Advisory Committee Meeting July 2, 1991

- b. The submission of full cross-section as deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"-5' horizontal to 1"=5' vertical scale.
- c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.
- d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way at the Developer's expense.
- e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.
- f. The relocation of any utilities or poles as required by the road improvements.
- g. The construction of combination curb and gutter in its ultimate location and a maximum of 23.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards.

ROBERT W. BOWLING, P.E., Chief Developers Engineering Division

RWB:s

.

91-486-A

PETITIONER'S EXHIBIT# 2

We, the undersigned, who represent the immediately adjacent and/or opposite neighbors of Lloyd & Susan Blumenfeld ,who reside at 2711 Geartner Road, do NOT object to their building of an 8x15 foot wooden deck on the northeast side of their existing house. We realize that they have applied for a variance from section 1B02.3.C.1.

Max Krieger 2709 Geartner Road

Karen Katz

2713 Geartner Road

Beverly Rosenthal 2708 Geartner Road PETITIONER'S EXHIBIT# 3





s e N U M B E R 91-486-4

PETITIONER'S EXHIBIT# 4

